

Please Direct All Correspondence to Customer Number **20,995**

REQUEST FOR CONTINUED EXAMINATION

Applicant : Kagan et al.
 App. No : 10/698,148
 Filed : October 31, 2003
 For : APPARATUS AND METHODS FOR
 TREATMENT OF MORBID OBESITY
 Examiner : Phillip Gray
 Art Unit : 3767
 Conf # : 2819

CERTIFICATE OF EFS WEB TRANSMISSION

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server on:

11/21/08
 (Date)

Bryan Wahl, Reg. No. 58,878

Mail Stop RCE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

This Request for Continued Examination (RCE) is being made as follows:

1. Submission Required under 37 CFR 1.114:

(X) Enclosed:

(X) Amendment/Reply in 15 pages.

(X) Factual Declaration of Christopher Thompson, M.D., M.Sc. under 37 CFR 1.132 in 3 pages.

2. Fees:

The present application qualifies for Small Entity Status under 37 CFR 1.27.

FEE CALCULATION				
FEE TYPE		FEE CODE	CALCULATION	TOTAL
RCE Fee		2801 (\$405)		\$405
1 Month Extension		2251 (\$60)		\$65
			TOTAL FEE DUE	\$470

(X) An extension of time is hereby requested by payment of the appropriate fee indicated above.

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November 21, 2008
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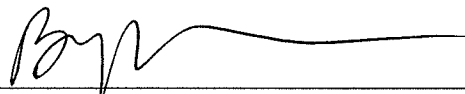
3. Payment:

(X) The amount of \$470 will be paid via EFS Web.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,
KNOBBE MARTENS OLSON & BEAR LLP

Dated: 11/21/08



Bryan Wahl
Registration No. 58,878
Attorney of Record
Customer No. 20,995
(415) 954-4114

RCE

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